

# TROPIC WINDS RULES & REGULATIONS

2018 (Amended 06.05.18)

To ensure a pleasant, and secure atmosphere for owners, tenants and invitees, the Tropical Winds Owners' Association, Inc. ("COA") has prepared these rules and regulations. These rules and regulations are effective until amended by the Board of Directors. These rules are in addition to any recorded associations rules, regulations, covenants, deed restrictions, bylaws and municipal and state laws.

Owners, tenants and invitees, are responsible for knowing and abiding by the rules and regulations of Tropic Winds. It is the responsibility of all owners to ensure that their tenants and invitees adhere to these rules and regulations. All owners should help to ensure the security of the property by immediately notifying management and or security of all emergencies, safety issues or rule violations. It will be the responsibility of management and or security to handle each situation as needed in a discretionary manner.

Owners should recognize that if a violation is not reported, no action will result. Rules and regulation violations may result in fines and rights suspensions against owners, tenants and invitees.

Owners, tenants and invitees, will be held responsible for any damages to Tropic Winds property due to neglect, misuse or abuse. Actions by tenants or invitees which present an immediate danger to the life, health or safety of any person, shall be cause for the removal of such tenants or invitees from the property. Tropic Winds Owners' Association, Inc. may impose fines restriction of rights owners, tenants and invitees and seek an eviction against tenants and invitees involved in destructive or illegal behavior on the property.

Children are required to observe the same restrictions that apply to adults unless specified differently. Children under the age of 12 must be accompanied by an adult at all times while on the property. The accompanying adult will be responsible for the children's actions.

Written permission must be granted by the Tropic Winds Owners' Association prior to any private or group event held by owners, tenants and invitees on the common areas of the property (including but not limited to the pool area and or beach).

Tropic Winds Condominium is a smoke-free environment. As such, smoking is prohibited in the common elements and limited common elements including but not limited to hallways, stairwells, elevators, lobby, amenities, parking areas, and on the balconies of the units.

THE ASSOCIATION AND ITS AGENTS ASSUME NO RESPONSIBILITY FOR ANY ACCIDENTS OR INJURIES IN CONNECTION WITH THE USE OF THE AMENITIES OR PROPERTY AND/OR COMMON AREAS. PERSONS USING THE AMENITIES OR PROPERTY AND/OR COMMON AREAS RELEASE AND INDEMNIFY THE ASSOCIATION AND ITS MEMBERS AND AGENTS FROM ANY CLAIMS IN CONNECTION WITH ANY LOSS OF LIFE, PERSONAL INJURY, DAMAGE TO OR LOSS OF PERSONAL PROPERTY.

## **A. ACCIDENTS & INJURIES**

1. All accidents or injuries must be reported to the Association immediately.

## **B. AGE RESTRICTIONS FOR TENANTS**

1. To contract as a tenant, you must be a minimum of 25 years of age with proper photo Identification. The contracting party must be present in the unit during the rental period.

## **C. ALCOHOL CONSUMPTION**

1. Minors are not allowed to consume alcohol anywhere on property (the legal drinking age in Florida is 21 years old). If Minors are caught consuming law enforcement will be notified and immediate eviction may result and the assessment of fines.

## **D. AMENITIES**

1. THERE ARE NO LIFEGUARDS ON DUTY on Tropic Winds property, including the pool, hot tub, and beach. All persons using property amenities do so at their own risk.

2. All amenities are open from 8:00 AM to 10:00 PM. The manager, staff or COA reserves the right to close or limit usage for all amenities on property when deemed necessary.
3. Occupants must vacate the pool and hot tub areas during inclement weather and any other condition deemed hazardous.
4. The use of Tropic Winds amenities is restricted to owners, tenants and invitees. Owners, tenants and invitees must wear wristbands at all times while on Tropic Winds property.
5. Children twelve (12) years of age and under must be accompanied by an adult at all times while on Tropic Winds property. The adult assumes responsibility for the child's safety, actions and any damages which may occur.
6. Persons with bandages, blisters, cuts, rashes, or stitches are prohibited from using the pool or hot tubs. Emitting of any bodily fluids is strictly prohibited in the pool and hot tubs.
7. All persons must shower before entering the pool or hot tub. Proper swimming attire (cutoff shorts are forbidden) is required at all times in the pool and hot tub. Children in diapers must wear approved "swim diapers" while in the pool. Diapers must be disposed of in a proper trash receptacle.
8. No running, ball playing, pushing, wrestling, jumping or rough play is permitted especially in or about pool or hot tub.
9. Life jackets / vests, arm floats and noodles are permitted in the pool. **NO** other floatation devices are allowed in the pool. Life jackets / vests and arm floats are permitted in the hot tub. **NO** other floatation devices, including noodles, are allowed in the hot tub.
10. Lounge chairs are provided on a first come, first serve basis. No one can reserve pool chairs with towels or other belongings.
11. Pool or Patio furniture must remain in their specified areas, including life preservers or equipment provided for an amenity.
12. Anyone under the age of 16 must be accompanied by an adult when using the hot tub, sauna, steam room or exercise room. Children under the age of twelve (12) are not permitted to use the hot tub, sauna, steam room or exercise room.
13. No glass containers are allowed in the pool or hot tub areas. Food and drinks are prohibited within 4 feet of the pool or hot tubs. **NO** food is allowed in the hot tub, sauna, steam room, or exercise room. (As mandated by Florida Law).
14. No diving, jumping or disruptive behavior is allowed in the pool or hot tubs.
15. Animals (with the exception of service animal) are not permitted on the pool decks, in the pools or in the hot tub areas.
16. Replacement or repair costs for any damaged amenity property will be charged to the person or persons responsible. Parents / guardians are responsible for any damage caused by their children.
17. Canopies and tents must be set up in the designated "Canopy and Tent Area" located at the east end of property as identified by signage on the beach. Space provide is on a "First Come Basis" Leave No Trace ordinance must be followed

#### **E. BALCONIES**

1. Climbing or leaning over balconies is strictly prohibited. Climbing on or over balcony railings may result in eviction of tenants or invitees, law enforcement may be notified and the assessment of fines.
2. Throwing any item, including cigars and cigarettes, from balconies and walkways is considered dangerous and is a violation of Florida law. Doing so may result in immediate eviction from the property, law enforcement being notified, and fines being assessed.
3. Do not hang towels or other articles on balcony or walkways railings.
4. In accordance with state and local fire ordinances, the use of ANY grill, hibachi or fire pit is prohibited throughout the property. Grills are provided by Tropic Winds in the common areas
5. Prior to replacing balcony floor covering, the Unit owner must obtain written approval from the Association to ensure that the proper water barrier is used, and the barrier must be inspected by an approved engineering company before the final floor covering is put in place.

#### **F. BEHAVIOR**

1. Nudity and indecent exposure, as defined by Florida law, will not be tolerated in any area visible to the public or any public or common area of the property. Violators may be evicted from property and law enforcement will be notified and fines may result.
2. Destructive and dangerous behavior is prohibited at Tropic Winds. Any tenant or invitee found vandalizing or destroying or acting in a dangerous manner the Tropic Winds property including but not limited to the beach, may be evicted from the property. Tenants or invitees will be liable and held financially accountable for damages caused by their misuse or neglect. Owners are ultimately responsible for damages caused by their tenants or invitees. Destructive or dangerous behavior includes but is not limited to jumping over fences of any pool, hot tub or entry gates, jumping from any parking garage opening and hanging from the pipes located in the parking garage or hanging from the clear vinyl dividers in the pool. If damage is significant, criminal charges will be pursued.
3. Water balloon slingshots, water guns, water balloons and dangerous sport ball throwing in common areas are prohibited.
4. ALL fireworks, including but not limited to sparklers and poppers, as well as laser pointers, are strictly prohibited on the property.
5. Walkways and stairwells are fire exit lanes. No articles (with the exception of shoes and welcome mats) shall be left in these areas at any time. Any unauthorized items left in these areas may be confiscated by the association staff.
6. At no time is garbage to be placed or left on front balconies or inside trash rooms. All garbage must be placed in the trash chutes. Large cartons need to be brought down to the garbage receptacle on the front NW corner.
7. Tropic Winds "**QUIET HOURS**" are enforced throughout the property between 10:00 PM and 8:00 AM. All owners, tenants and invitees shall refrain from any activity that would disturb other residents at any time, but especially during quiet hours.

#### **G. ELEVATORS**

1. No jumping in the elevators.

#### **H. LUGGAGE CARTS**

1. Luggage carts are provided as a courtesy. Carts are to be returned to the garage lobby from which they were taken. Carts are not to be left inside the units, outside the units or in elevators at any time. Carts are not to be used by contractors, cleaning crews or vendors. Children are prohibited from riding on carts.

**I. OCCUPANCY LIMITS**

1. Occupants may not exceed maximum occupancy as outlined by Florida law unless the owner obtains a written waiver from the Fire Marshal.

Two-bedroom units: 6 guests  
Three-bedroom units: 8 guests  
Four-bedroom units: 10 guests

**J. PETS & WILDLIFE**

1. Only OWNERS are allowed to have pets on the property. Upon request, reasonable accommodation exceptions will be provided to disabled tenants and guests requiring a service or emotional support animal. (See Pet Policy for details)
2. All owner's pets must be registered with the COA manager. The COA manager will provide a pet authorization form and identification for the pet.
3. Pit bulls are prohibited.
4. Feeding wildlife is prohibited throughout the property per Florida law.
5. The COA board may require the immediate removal of a pet from the property should the pet be determined by the board to be vicious or a danger to the owners, tenants or invitees. The owner of the pet assumes liability for all damages to persons or property caused by the pet or resulting from its presence.
6. Dogs must be on leash at all times.
7. Pets are never to be left unattended in any common area.
8. There is a pet station located on the back SW corner of the building. Pet owners are required to clean up after their pets and dispose of waste in the proper receptacles. Pet owners are prohibited from allowing their pets to relieve themselves in the sun patio, hot tub and grill areas.
9. Florida law prohibits animals on the beach.

**K. PROHIBITIONS**

ALL owners, tenants and invitees are prohibited from:

- Climbing or leaning over balconies
- Throwing, pitching or tossing ANY object from balconies or walkways
- Illegal possession or use of firearms
- Possession of illegal narcotics
- Tampering with fire extinguishers or any equipment contained on the property
- Underage consumption of alcoholic beverages
- Grilling, cooking or fire pits on the balcony
- Contributing to the delinquency of minors including but not limited to underage drinking
- Jumping or destructive behavior in elevators
- Malicious destruction of Tropic Winds property or property of another person
- Indecent exposure
- Physical altercations, excessive use of profane language dangerous or threatening behavior
- Continued violations of any Tropic Winds rule or regulation may result in the eviction of the offender without refund of monies paid.
- No watersports allowed from the beach or beachfront of Tropic Winds
- No boring into concrete floors and /or ceiling without approval from the Association to obtain pacometer reading to locate post tension cable. (If post tension cable is cut serious injury could result.)
- Use of Aerial Drones is prohibited on Tropic Winds Property which includes the north parking lot, condo building, and all common areas including the beach. The Board of Directors may authorize use of Aerial Drones for specific HOA business.

**L. REGISTRATION/IDENTIFICATION OF OWNERS, TENANTS AND INVITEES**

1. All Owners will be provided with a REGISTRATION/IDENTIFICATION PACKET at a cost to be determined from time to time by the Association. This packet will supply owners with vehicle identification decals for their personally owned vehicles, guest/tenant vehicle identification placard and identification wristbands for owners, tenants and invitees. Wristbands must be worn by owners, tenants and invitees at all times while on Tropic Winds property.

**M. SIGNS**

1. Signs promoting businesses and any other signs are prohibited on Tropic Winds' property without Association approval.
2. Signs may not be placed on common property without Association approval. Existing signage will be removed and replaced with an equivalent signage on each parking space.

**N. VEHICLES & PARKING**

1. All vehicles parked on Tropic Winds property must have the proper vehicle identification decal or properly completed placard, including "NON-RESERVED" parking.
2. Due to space restrictions only owners, tenants, invitees, employees, contractors, cleaners and vendors will be allowed to park on the property
3. Property speed limit is 5 mph and will be enforced.
4. All vehicles parked in reserve spaces, must be parked in their unit specified parking space.
5. Skates, roller blades, skateboards, foot scooters, RVs, trailers, duallies are prohibited. All other vehicles (up to four wheels) are permitted provided they can be properly parked in their reserved assigned parking place. All parked vehicles must have approved parking ID (i.e. decal or properly completed placard).
6. Parking spaces are reserved for each unit. Any vehicle parked in a reserved space, which is not designated for that unit, may be towed at the vehicle owner's expense.
7. There are approximately 30 non-reserved parking spaces available in the north parking lot and lower garage. The non-reserved spaces are available on a first come, first serve basis and are NOT guaranteed. These spaces still require the proper parking decal or placard.
8. All owners, guests or tenant owners', tenants' and invitees' decals or placards must be properly filled out and displayed in vehicle windshield and visible at all times while on Tropic Winds property
9. Building clearance is 7 feet in height. Any vehicles taller than 7 feet are not permitted in the garages. Be advised of this height restriction. If damage occurs because your vehicle is over height limit, the vehicle owner will be liable for all expenses associated with damage incurred.
10. Improperly parked vehicles and those vehicles without a valid parking placard or decal may be towed at VEHICLE OWNERS' expense. Any vehicle parked in a manner that blocks the ingress or egress of Tropic Winds property shall be considered improperly parked and will be towed. Vehicles the length or width of which prohibits the vehicle from fitting into a designated parking space shall not be permitted.
11. HANDICAPPED parking is available. All HANDICAPPED spaces are NON-RESERVED. Any vehicle parked in a handicapped space without the proper legal HANDICAPPED license plate or hangtag (along with a proper Tropic Winds parking placard or decal) may be towed at violators' expense
12. Items used to block or secure parking spaces including cones, chains, barrels, etc. are prohibited.

13. In the event that a vehicle is inoperable or possesses an expired license plate, the vehicle will be subject to being towed at owner's expense after 48-hour notice. Only emergency vehicle repairs such as flat tires or dead batteries may be made on Tropic Winds property

**O. VENDORS, CLEANERS, CONTRACTORS & SUBCONTRACTORS**

1. Vendors must park in north parking garage in the designated vendor parking spaces.
2. All cleaning staff and cleaning inspectors must register with the COA to receive the proper parking placard. Cleaning staff and cleaning inspectors must park in the assigned space of the unit in which they are working. Placards are valid for 6 months and must be renewed with the COA at expiration.
3. Construction noise hours are between 9:00 AM and 5:00 PM.
4. Any work done in a unit that requires a specialization such as Heating & Air Conditioning/HVAC, Electrical and Plumbing services must be performed by a certified or licensed in the state of Florida person or entity. That person or entity must have not less than \$1 million of insurance liability coverage.